REMARKS

In accordance with the foregoing, the specification and claims 1, 3-4, and 9-19 are amended. Claim 21 is cancelled without prejudice or disclaimer. No new matter is presented in any of the foregoing and, accordingly, approval and entry of the amended specification and claims are respectfully requested.

Claims 1-20 are pending and under consideration.

CLAIM AMENDMENTS

Claims 1, 3-4, and 9-19 are amended replacing the term "header" data section with --summary-- data section to avoid confusion with the term --header-- as understood in the art as part of a standard IP header of a packet.

Claims 5, 15, and 16 are amended herein to replace the term --vital-- with the term "biometric." (See, for example, paragraph beginning at page 23, line 3 discussing "the fingerprint information, the retina information, the iris information, the voiceprint information of the user, etc.", it is understood in the art that such information is biometric information.)

No new matter is presented in any of the foregoing and, accordingly, approval and entry of the amended claims are respectfully requested.

ITEM 2: REJECTION OF CLAIMS 9, 15, 16 UNDER 35 U.S.C. 112, SECOND PARAGRAPH

Claims 9, 15, 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner contends that the:

> term "vital information" in claims 9, 15, 16 is a relative term which renders the claim indefinite. The term "vital information" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

(Action at page 2).

The specification and claims are amended herein to replace the term --vital-- with the term "biometric." For example, see paragraph beginning at page 23, line 3 discussing:

> the ~~vital~~ biometric information of the user can be used. For example, the fingerprint information, the retina information, the iris information, the voiceprint information of the user, etc., are registered at the contents manager 2 side in advance, and the contents key can be encrypted on the basis of the respective ~~vital~~ biometric information.

As understood in the art, biometric is defined as pertaining to the measurement of the human body. (See, for example, Glossary of Communications, Computer, Data, and Information

Security Terms at http://sun.soci.niu.edu/~rslade/secgloss.htm#biometric).

Applicants submit that claims 9, 15, 16, all as amended, comply with 35 U.S.C. 112, second paragraph and request the withdrawal of the rejection.

ITEM 6: REJECTION OF CLAIMS 1, 3-20 UNDER 35 U.S.C. 103(a) AS BEING UNPATENTABLE OVER KOMURO ET AL. (U.S.P. 6,223,285), AND FURTHER IN VIEW OF SAITO (U.S.P. 6,182,218)

Claims 1, 3-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komuro and further in view of Saito. The Action concedes that Komuro does not teach embedding information in an electronic watermark. However, the Examiner contends that Saito teaches embedding information in an electronic watermark and that it would have been obvious to modify Komuro to provide a system that checks the validity and integrity of users by using watermarks

Applicants submit that features of claims 1 and 3-20 are not taught by the cited art, alone or in combination.

Independent claims 1, 12, 13, 15, and 17-19 recite a data administration method, using claim 1 as an example, "preparing a (header) summary data section provided with symbol information symbol-converted for visual or auditory recognition of attributes of the digital content; preparing a consent-information-added summary data section in which consent information containing information on a content key used as an encryption key in encrypting the digital content is embedded in the summary data section as an electronic watermark."

Independent claims 3 and 11, using claim 3 as an example, recite a data administration method "preparing a consent-information-added summary data section in which consent information containing information on a content key used as an encryption key in encrypting the digital content is embedded in the summary data section as a visually or auditorily unrecognizable electronic watermark."

Independent claim 10 recites a data administration method "in a summary data section enabling visual or auditory recognition of substance of the digital content, a consent-information-added summary data section in which consent information containing information on a content key used as an encryption key in encrypting the digital content is embedded as a visually or auditorily unrecognizable electronic watermark, and an annex data section in which use restriction information for restricting use of the digital content is encrypted."

That is, according to aspects of the present invention, symbol information in which a header (summary) data section is recognized. Consent information, such as an encryption key of an electronic watermark, is embedded.

Applicants submit that none of the cited art, alone or in combination, teach a method to embed a content key in a visible header data as an electronic watermark. Komuro merely teaches a technology using copy restriction information stored in a packet header. Komuro does not teach the "summary data section" in which a content of digital content can be partly recognized.

Komuro teaches (see, cols. 2-3, starting at line 66) a method transferring information using an encryption mode indicator (EMI). More specifically, Komuro teaches (see, col. 4, starting at line 21) providing several secure information communication modes in which data (e.g. representing an audio/visual work) can be transmitted from a source device to a sink device (receiving station) in a number of secure modes.

Komuro teaches a method to store EMI information indicating an encryption modes, that is, a mode in which only playing is allowed, a mode in which a copy is not allowed more than once, and a mode in which there is no restriction on copying, to save it in a packet header, and to transmit it with the data.

However, Komuro teaches (see, col. 3, starting at line 5) a method to encrypt a digital data in which an encryption key establishes a common encryption key during an authentication process between a source device and a sink device. That is, Komuro teaches that the encryption key is transmitted independently of the data itself, and does not teach, and in fact teaches away from, a method embedding the consent information including the encryption key in its identifiable header(summary) data section as the electronic watermark.

Saito teaches (see, col. 5, starting at line 25) a system to manage copyrights of the digital contents with copyrights and to protect digital contents secrets, and a method to embed owner information of a public key or user information into image information as an electronic watermark, and to distribute it to users, and that an electronic fingerprint of a user's public key is used as user information, and MD5 hash algorithm is used.

Conclusion

Since features recited by claims 1, 3-20 are not taught by the cited art, alone or in combination, and *prima facie* obviousness is not established, the rejection should be withdrawn and claims 1, 3-20 allowed.

ITEM 7: REJECTION OF CLAIM 2 UNDER 35 U.S.C. 103(a) AS BEING UNPATENTABLE OVER KOMURO AND SAITO, AND FURTHER IN VIEW OF PEINADO ET AL (U.S.P. 6,775,655)

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Komuro and

Saito, and further in view of Peinado

Dependent claim 2 recites a data administration method "wherein said data section is made by compositing into one image data item more than one image-symbol data item symbol-converted for visually recognizing attributes corresponding respectively to a plurality of digital content items."

The Examiner concedes that Komuro and Saito do not teach "a header (summary) data section is made by compositing into one image data item more than one image-symbol data item symbol-converted for visually recognizing attributes corresponding respectively to a plurality of digital content items." However, the Examiner contends that Komuro and Sairto in combination teach the data administration method as in claim 1, and that

> Peinado teaches header data section is made by compositing into one image data item more than one image-symbol data item symbol-converted for visually recognizing attributes corresponding respectively to a plurality of digital content items.

The Examiner contends that It would have been obvious to modify Komuro/Saito with Peinado to allow the digital content to be only rendered as specified by the content provider.

Applicants submit that none of the cited art, alone or in combination, teach that license information and a decryption key are embedded in a visually symbolized image with an invisible electronic watermark.

Peinado merely teaches an enforcement architecture that allows access to encrypted digital content only in accordance with parameters specified by license rights acquired by a user of the digital content, and an encrypted digital content, a key ID of a decryption key, license acquisition information which is not encrypted, a key to encrypt a public key of a content server which is signed by a secret key of the content server. Further, Peinado teaches (see, for example col. 3, starting at line 10) that when using a digital content included in the package, a dialogue is necessary to acquire a decryption key stored in a content key data base as well as a request of license information to a license server.

Conclusion

Since features recited by claim 2 are not taught by the cited art, alone or in combination, and *prima facie* obviousness is not established, the rejection should be withdrawn and claim 2 allowed.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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